

THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

DUKE UNIVERSITY, ET AL)
)
)
 Plaintiff,)
)
 v.)
 NATIONAL UNION FIRE INSURANCE CO.,)
 OF PITTSBURGH, PA)
 Defendant.)
)

NOTICE: Case Number: 1:08CV854

Enclosed with this Notice is the Magistrate Judge’s Recommendation in the above-entitled action, which has been filed and entered upon the docket in this case.

Rule 72(b), Fed. R. Civ. P., provides in pertinent part:
(b) Dispositive Motions and Prisoner Petitions.

* * *

Within 10 days after being served with a copy of the recommended disposition, a party may serve and file specific, written objections to the proposed findings and recommendations. A party may respond to another party’s objections within 10 days after being served with a copy thereof. The district judge to whom the case is assigned shall make a de novo determination upon the record, or after additional evidence, of any portion of the magistrate judge’s disposition to which specific written objection has been made in accordance with this rule. The district judge may accept, reject, or modify the recommended decision, receive further evidence, or recommit the matter to the magistrate judge with instructions.

Since the time limitation for objections established by Rule 72(b) is less than eleven days, intermediate Saturdays, Sundays, and legal holidays are excluded in computation of the time period. See Fed. R. Civ. P. 6(a). Further, since this notice is served by mail, three days are added to the prescribed period. See Fed. R. Civ. P. 6(e).

You are hereby notified that unless written objections to the Magistrate Judge’s Recommendation are served and filed as provided in the federal rules, the district judge shall enter an appropriate order or judgment but need not make a de novo review of the Magistrate Judge’s Recommendation. Therefore, if you fail to serve and file objections within the time limitation provided by the rules, as computed in this notice, you may waive your right to question on appeal the substance of the Recommendation of the Magistrate Judge accepted by the district judge.

Pursuant to Fed. R. Civ. P. 72(b), 6(a), and 6(e), objections to the Magistrate Judge’s Recommendation in this case must be filed and served by 2/18/2010.

I hereby certify that on 2/4/2010, I mailed a copy of this notice and the related Magistrate Judge’s Recommendation to any non-CM/ECF participants using first class mail. The CM/ECF docketing system will automatically and electronically notify all CM/ECF participants upon the docketing of this notice. For a listing of parties served, refer to this document’s Notice of Electronic Filing, which was sent to any non-CM/ECF participants.

John S. Brubaker, Clerk

By:/s/ JoAnne Wilson
Deputy Clerk